

EXHIBIT E

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY
CAMDEN VICINAGE**

**IN RE: VALSARTAN, LOSARTAN,
AND IRBESARTAN PRODUCTS
LIABILITY LITIGATION**

THIS DOCUMENT RELATES TO:
TPP Trial Subclasses

MDL No. 2875

Honorable Renée Marie Bumb
District Court Judge

**[PROPOSED] ORDER REGARDING THE ADMISSIBILITY OF THE
EXPERT TESTIMONY OF DR. ALI AFNAN**

THIS MATTER, having been opened to the Court by both Plaintiffs and Defendants Zhejiang Huahai Pharmaceutical Co., Ltd., Huahai U.S., Inc., Princeton Pharmaceutical Inc., and Solco Healthcare U.S., LLC (collectively, the “ZHP Defendants”) for entry of an order clarifying the admissibility of expert testimony offered by Dr. Ali Afnan, Ph.D. in this matter, and the Court having considered the submissions of the parties, having conducted a *Daubert* hearing, and having heard oral argument, and for good cause shown:

IT IS on this ____ day of _____, 2025

ORDERED as follows:

Plaintiffs’ request to exclude the expert testimony of Dr. Ali Afnan, Ph.D. is denied in full and the ZHP Defendants’ request to admit the opinions stated in all but three paragraphs of Dr. Afnan’s report is granted. On January 5, 2024, the

Court issued an initial order regarding the admissibility of Dr. Afnan's testimony, holding that portions of six of the 212 paragraphs in Dr. Afnan's expert report in this matter were inadmissible. (*See* ECF No. 2581 at 5-7.) Both parties requested that the Court revisit that order. Specifically, the ZHP Defendants asked that three of the paragraphs of Dr. Afnan's report that had previously been excluded be deemed admitted consistent with the Court's order allowing Plaintiffs' experts to offer similar opinions. (*See* ECF No. 2591; *see also* 7/23/24 Tr. 137:19-24 (ECF No. 2791).) In response, Plaintiffs cross-moved to exclude Dr. Afnan's opinions in full. (*See* ECF No. 2626.) The Court ordered a *Daubert* hearing so that the Court could assess the admissibility of Dr. Afnan's opinions. (*See* 7/23/24 Tr. 151:4-12; *id.* 296:5-298:25.)

On September 18, 2024, the Court conducted the *Daubert* hearing, during which Dr. Afnan was questioned by counsel for the ZHP Defendants, counsel for Plaintiffs, and the Court. (*See* 9/18/24 Tr. 6:12-133:16 (ECF No. 2859).) For the reasons explained at that hearing, the Court denies Plaintiffs' motion to exclude the testimony of Dr. Afnan. In addition, the Court grants the ZHP Defendants' request that Dr. Afnan be permitted to offer all of the opinions set forth in his expert report, with the exception of the opinions expressed in Paragraphs 53, 64, and 153 as well as the references to Dr. Xue's excluded opinions in Paragraphs 141 and 190 (the prior exclusion of which was not challenged by the ZHP

Defendants), as well as the references to Dr. Xue in Paragraphs 141 and 190. The substance of the opinions set forth in Paragraphs 141 and 190 are admitted.

Hon. Renee Marie Bumb, U.S.D.J.